

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: March 11, 2003

FROM: KATHLEEN ROLLINGS-McDONALD, Deputy Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: **Agenda Item # 7**— Transfer of Principal County Responsibility from San Bernardino LAFCO to Riverside LAFCO for LAFCO 2935 – Yucaipa Valley Water District Annexation (Oak Valley Area Located in Riverside County)

RECOMMENDATION:

1. Authorize the Riverside LAFCO to assume exclusive jurisdiction for the proposed annexation to the Yucaipa Valley Water District; and,
2. Adopt LAFCO Resolution No. 2767 reflecting this action.

BACKGROUND:

On February 10th, the Commission received a letter from the Executive Officer of the Riverside LAFCO seeking the transfer of principal county status for the annexation of territory to the Yucaipa Valley Water District. This annexation proposal involves the development project commonly known as “Oak Valley”. This proposal is being processed as a part of a larger reorganization to allow for the extension of water and sewer service to this major development project. Under normal procedures, San Bernardino LAFCO would conduct proceedings for this annexation on the basis that it is the principal county for this District. However, state law outlines a procedure whereby the principal LAFCO may transfer jurisdiction to the LAFCO of another affected county under certain circumstances.

The letter from Mr. Spiliotis indicates that the rationale for this request is that there are additional changes proposed involving this project that Riverside LAFCO would like to concurrently consider. Specifically, the Riverside LAFCO is considering an application that would propose sphere of influence

amendments for Yucaipa Valley Water District, sphere of influence amendments for the Cities of Beaumont and Calimesa, annexations to these cities, annexation to the Beaumont-Cherry Valley Water District and other miscellaneous changes to complete the process for this development proposal. Most of these agencies are located wholly within Riverside County, while the sphere of influence amendment is a determination made by Riverside LAFCO within its county.

Government Code Section 56388 provides the mechanism for transfer of jurisdiction between LAFCOs and requires that all of the following occur before such a transfer can take place:

1. The San Bernardino LAFCO would have to agree to the transfer and designate Riverside LAFCO to assume the exclusive jurisdiction for this change; and,
2. Riverside LAFCO would need to agree to assume exclusive jurisdiction.

The draft resolution, included as Attachment #3 to this report, accomplishes Item #1 as required by Government Code Section 56388. Once the resolution is forwarded to Riverside LAFCO it can take the necessary actions to assume exclusive jurisdiction.

This request has been reviewed with the Yucaipa Valley Water District staff and they have informally consented to this transfer. On this basis, staff recommends Commission approval of the transfer of jurisdiction.

KRM/

Attachments:

1. Letter from Mr. George Spiliotis requesting transfer of jurisdiction
2. Maps of area of consideration
3. Draft Resolution